



THE CITY OF NEW YORK
LAW DEPARTMENT
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NEW YORK, NY 10007

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December 18, 2015

VIA ECF AND FACSIMILE

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007
Fax: (212) 805-7986

MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Dated: Dec 21, 2015

*The Jan. 14, 2016 Conference
is adjourned to March 3, 2016
at 10:15 A.M.*

Re: Jason Torres v. City of New York, et al.,
15 Civ. 2864 (PGG)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. Defendants write on behalf of the parties to respectfully request an extension of the fact discovery deadline. The current deadline for fact discovery is January 13, 2016 and the parties respectfully request until February 29, 2016 to complete fact discovery.¹ This is the parties' first request for an extension of fact discovery in this case. There are a few reasons that necessitate this request.

First, plaintiff is currently incarcerated at Vernon Bain Correctional Center in relation to a different matter.² Plaintiff's incarceration has created difficulty in his counsel contacting him, a delay in responding to interrogatories and discovery demands, and a delay in

¹ The parties also respectfully request an adjournment of the pretrial conference that is currently scheduled for January 14, 2016 at 10:45 a.m. until a date after the requested new deadline for fact discovery.

² It is unclear when plaintiff is scheduled to be released from Vernon Bain Correctional Center. His next court date is December 21, 2015.

deposing plaintiff. In light of plaintiff's incarceration and the upcoming holidays, the parties respectfully request an extension of the deadline for fact discovery until February 29, 2016.

Thank you for your consideration herein.

Respectfully submitted,

/s/

 Peter J. Fogarty
 Assistant Corporation Counsel

cc: VIA ECF
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